

Save the Whales!... From Sonar?

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OPINION

On July 7th -- four days after a preliminary injunction was granted halting the use of active sonar -- the US Navy settled a lawsuit filed by the Natural Resources Defense Council (NRDC) seeking to halt sonar training in order to minimize disruption to the RIMPAC 2006 exercises currently going on around the Hawaiian Islands. This settlement prevented a permanent injunction, which could have been devastating for the U.S. Navy's anti-submarine warfare training, since the RIMPAC exercises are one of the rare opportunities the Navy has to practice against some of the latest well-manned diesel-electric submarines (Australia, South Korea, and Japan have sent such submarines to this year's exercises).

This suit is the latest in a long-running campaign of lawsuits filed by a coalition of environmental groups led by the NRDC against active sonar, which claim that the practice is connected with mass beachings of whales. This campaign has even featured a five-minute Web movie on the NRDC's website featuring actor Pierce Brosnan.

The latest NRDC ploy is an outgrowth of the success the group has had in tying up the SURTASS LFA sonar system in court for several years. In addition to delaying testing of that experimental system until a very restrictive settlement was reached (which only permitted testing of the sonar in limited areas), the battle provided a precedent for the present suits against the medium-frequency systems (the NRDC filed a suit in October, asking a judge to impose restrictions on training with active sonar during peacetime -- targeting the medium-frequency SQS-53 and SQS-56 sonars used by American surface vessels).

The NRDC and other environmental groups have claimed that some recent mass-stranding incidents involving marine mammals are attributable to navy sonar. This includes a 2000 incident off the Bahamas, a 2003 incident in Washington State, and a 2005 incident in Hawaii that involved over 150 whales. However, in a number of studies, no conclusive evidence has linked active sonar to these mass stranding incidents. Only in one case (the Bahamas incident) was sonar even considered a likely factor -- and even then, the evidence was not conclusive. In the 2003 incident in Washington, three of the whales were found to have had illnesses, and two others had suffered blunt-force trauma (others had been too decomposed to tell what caused their deaths). In 2005, the whales had gone into a bay before any active sonar was even used.

The use of active sonar during exercises like RIMPAC is necessary, not only to train American sonar operators, but also to train American submariners to deal with countries that use active sonar (many of which, ironically, don't have to face down environmental groups suing the government to ban the use of active sonar). The United States military lives by the axiom, "you fight like you train." Realistic training gives the United States military its biggest advantage over opponents, and is the case for all good militaries (the saying in Rome went, "Their drills are bloodless battles, their battles are bloody drills").

Of course, the United States Navy does not go out of its way to lash whales with active sonar during training. And in fact, there are procedures in place to minimize the chances of such incidents (including aerial surveys for whales in the area) and the Navy halts ASW exercises when necessary. Despite the Navy's efforts to protect marine mammals during peacetime training, the NRDC's law-fare has continued. As a result, there is a chance court rulings could have the effect of sending sailors underway with no training on how to use the active sonar on their vessels -- or how to deal with the use of active sonar by an enemy. This would be equivalent to sending Pierce Brosnan to film a movie without being able to rehearse the scenes. For Brosnan, it would result in a lot of wasted takes and an embarrassingly large blooper reel. For the U.S. Navy, a failure to rehearse could result in lost ships and dead sailors.

Harold Hutchison blogs for Strategypage.